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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
YI, STELLA KIM	

ART UNIT	PAPER NUMBER
1791	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/593,755	KAUK ET AL.	
	Examiner	Art Unit	
	Stella Yi	1791	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 September 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *17-49* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *17-49* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/23/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 49 is rejected under 35 U.S.C. 102(b) as being anticipated by BANICEVIC et al. (2002/0153816).

Regarding Claim 49, BANICEVIC et al. discloses a refrigerator with a pull out drawer that has a reinforcing brace secured within the drawer having two spaced apart wing members and a cross member connected to and extending between the wing members adjacent an inside surface of the inner liner (at least one pull-out drawer). Further, the assembly has a pair of extendable guide rails each mounted to one of the opposing liner side walls of the cabinet and the through the liner of the drawer to support the drawer for relative movement with the cabinet (drawer is mounted on pull-out rails so that it can be pulled out, wherein the pull-out rails are mounted on the inner lining of the refrigerator by means of a mounting arrangement). The cabinet has a pair of reinforcing bracket member located therein each having a side reinforcing portion extending adjacent a corresponding one of the guide rails and mounted to the liner side wall by fasteners passing though the guide rails and liner side walls (the mounting arrangement having a receiving contour in the inner lining of the refrigerator, the

mounting arrangement at least partly corresponding to the outer contour of the element to be mounted, such that it can positively and/or non-positively receive the element to be mounted) (Abstract).

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claim 17-21, 24, 33-35, 37-39, and 42-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over GOMOLL et al. (EP1030144) and in further view of WILSON (4,558,503).

Regarding Claims 17, 21, 24, 33, 35, 37, 38, 42, 43, and 46 GOMOLL et al. discloses a refrigerator wall with supporting elements (33) (mounting elements) wherein a plastic inner liner (13) is fabricated by a non-cutting moulding method and a thermal insulation layer (12) is formed between the said inner liner and outer liner (11) ([0022] and Figure 3). GOMOLL et al. teach that the said plastic inner liner is fabricated with a receiving space (receiving contour) (19) (see Figure 3 and [0022]) which is shaped such that on at least three sides it at least partly corresponds to the outer contour of the element to be mounted (retaining element (33)), so that the element to be mounted can be received by the receiving space (receiving contour) (19)

and the said retaining element (33) is inserted into the said receiving space (19) (see Figure 3).

GOMOLL et al. is silent to foaming the said thermal insulation. However, WILSON discloses a method of assembling a refrigerator wherein the thermal insulation layer is injected between plastic inner liner and outer metal shell and undergoes a foaming operation and that such foaming forms cells which exhibit good thermal insulation characteristics (Col.2, lines 65-67 and Col.3, lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art to have substituted the foaming operation step taught by WILSON in the method of producing a mounting arrangement of GOMOLL et al. for the predictable results of forming a thermal foam insulation layer that exhibits good thermal insulation characteristics between the plastic inner liner and outer liner of the refrigerator of GOMOLL et al.

Regarding Claims 18 and 44, GOMOLL et al. teach that the said receiving space (receiving contour) (19) is fabricated with an undercut such that it can at least partly enclose and fix the element to be mounted (see Figure 3).

Regarding Claims 19 and 45, GOMOLL et al. discloses the said receiving contour comprising an abutment (21) in which a cup shaped groove (36) is snapped in place ([0022] and see Figure 4).

Regarding Claims 20, 34, 39, 47, and 48, GOMOLL et al. discloses that the said retaining element (33) (mounting element) supports shelves and receptacles ([0024]-[0025]) (which are pull-out rails).

3. Claim 22-23, 25-32, 36, and, 40-41, are rejected under 35 U.S.C. 103(a) as being unpatentable over GOMOLL et al. (EP1030144) and in view of WILSON (4,558,503) as applied to claims 17-21, 24, 33-35, 37-39, and 42-48 above, and in further view of JANSEN (3,669,520).

The teachings of GOMOLL et al. and WILSON are applied as described above for claims 17-21, 24, 33-35, 37-39, and 42-48.

Regarding Claims 22-23, 36, 40, and 41 GOMOLL et al. discloses that the said plastic inner liner (13) is fabricated by a non-cutting moulding method ([0022] and Figure 3) but is silent to that method being a deep-drawing process. However, JANSEN teach that there is extreme flexibility in the shaping of plastic inner liners of refrigerators made by a deep drawing process and that a portion of the supporting arrangement for a shelf may be formed integrally with the inner liner (Col.1, lines 1-35). Therefore, it would have been obvious to one of ordinary skill in the art to have modified the method of fabricating the plastic inner liner of GOMOLL et al. with a non-cutting moulding method such as the deep-drawing process as taught by JANSEN to shape the plastic inner liner of GOMOLL et al.

Regarding Claims 25, 29, 30, 31, and 32, GOMOLL et al. discloses a refrigerator wall with supporting elements (33) (mounting elements) wherein a plastic inner liner (13) is fabricated by a non-cutting moulding method and a thermal insulation layer (12) is formed between the said inner liner and outer liner (11) ([0022] and Figure 3). GOMOLL et al. teach that the said plastic inner liner is fabricated with a receiving space (receiving contour) (19) (see Figure 3 and [0022]) which is shaped such that on

at least three sides it at least partly corresponds to the outer contour of the element to be mounted (retaining element (33)), so that the element to be mounted can be received by the receiving space (receiving contour) (19) and the said retaining element (33) is inserted into the said receiving space (19) (see Figure 3).

GOMOLL et al. is silent to foaming the said thermal insulation. However, WILSON discloses a method of assembling a refrigerator wherein the thermal insulation layer is injected between plastic inner liner and outer metal shell and undergoes a foaming operation and that such foaming forms cells which exhibit good thermal insulation characteristics (Col.2, lines 65-67 and Col.3, lines 1-5). Therefore, it would have been obvious to one of ordinary skill in the art to have substituted the foaming operation step taught by WILSON in the method of producing a mounting arrangement of GOMOLL et al. for the predictable results of forming a thermal foam insulation layer that exhibits good thermal insulation characteristics between the plastic inner liner and outer liner of the refrigerator of GOMOLL et al.

GOMOLL et al. discloses that the said plastic inner liner (13) is fabricated by a non-cutting moulding method ([0022] and Figure 3) but is silent to that method being a deep-drawing process. However, JANSEN teach that there is extreme flexibility in the shaping of plastic inner liners of refrigerators made by a deep drawing process and that a portion of the supporting arrangement for a shelf may be formed integrally with the inner liner (Col.1, lines 1-35). Therefore, it would have been obvious to one of ordinary skill in the art to have modified the method of fabricating the plastic inner liner

of GOMOLL et al. with a non-cutting moulding method such as the deep-drawing process as taught by JANSEN to shape the plastic inner liner of GOMOLL et al.

Regarding Claim 26, GOMOLL et al. discloses that the said retaining element (33) (mounting element) supports shelves and receptacles ([0024]-[0025]) (which are pull-out rails).

Regarding Claims 27-28, GOMOLL et al. discloses the said receiving contour comprising an abutment (21) in which a cup shaped groove (36) is snapped in place ([0022] and see Figure 4).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella Yi whose telephone number is 571-270-5123. The examiner can normally be reached on Monday - Thursday from 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571-272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SY

/Christina Johnson/

Supervisory Patent Examiner, Art Unit 1791